

03-12-01

GP/2161

#3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerard Alan Lynch Docket No.: 20228-302  
 Serial No.: 09/728,356 Group Art Unit: 2161  
 Filing Date: December 1, 2000 Examiner: Unassigned  
 For: "SYSTEM AND METHOD FOR AUTOMATING LISTING AND  
 RE-LISTING OF AUCTION ITEMS"

## BOX AMENDMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

## PRELIMINARY AMENDMENT TRANSMITTAL

Transmitted herewith is an amendment for this application.

## STATUS

Applicant is  
 a small entity  
 other than a small entity.

## EXTENSION OF TIME

Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 390.00	\$195.00
<input type="checkbox"/> three months	\$ 890.00	\$445.00
<input type="checkbox"/> four months	\$1,360.00	\$695.00

Fee \$

If an additional extension of time is required please consider this a petition therefor.

An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

## CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on March 9, 2001 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as Express Mail No. EL745056304US addressed to: Box Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231

Date: March 9, 2001

*Cheryl Ann Rogers*  
 Cheryl Ann Rogers

RECEIVED  
 MAR 14 2001  
 TC 2100 MAILROOM

Applicant believes that no extension of time is required. However, this conditional petition is hereby made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	<i>OR</i>	OTHER THAN A SMALL ENTITY
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate
Total	Minus	=	x9=	\$	x18=
Indep.	Minus *0*	=	x40=	\$	x80=
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM		+135=	\$	x270=	\$
			TOTAL ADDIT. FEE	<i>OR</i>	TOTAL ADDIT. FEE

No additional fee for claims required.  
 Total additional fee for claims required \$\_\_\_\_\_.

### FEE PAYMENT

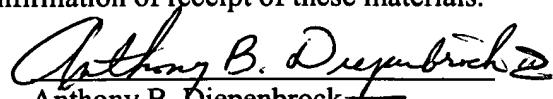
Attached is a check in the sum of \$\_\_\_\_\_.  
 Charge Account No. 02-3964 the sum of \$\_\_\_\_\_.  
 A duplicate of this transmittal is attached.

### FEE DEFICIENCY

In the event that: a) no check to cover the filing fee is enclosed, b) any above-referenced check is inadvertently omitted or lost, or c) any enclosed check is in an amount less than or greater than the required fee, the Commissioner is authorized to charge any required fees, additional fees, or credit any overpayment to Deposit Account 02-3964. A duplicate of this authorization is enclosed for that purpose.

Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Date: March 9, 2001

  
 Anthony B. Diepenbrock  
 Reg. No. 39,960

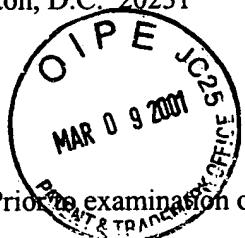
### OPPENHEIMER WOLFF & DONNELLY LLP

1400 Page Mill Road  
 Palo Alto, CA 94304  
 Tel: (650) 320-4000  
 Fax: (650) 320-4100

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Gerard Alan Lynch Docket No.: 20228-302  
Serial No.: 09/728,356 Group Art Unit: 2161  
Filing Date: December 1, 2000 Examiner: Unassigned  
For: **“SYSTEM AND METHOD FOR AUTOMATING LISTING AND RE-LISTING OF AUCTION ITEMS”**

Box Amendment  
Assistant Commissioner for Patents  
Washington, D.C. 20231



**PRELIMINARY AMENDMENT**

Sir:

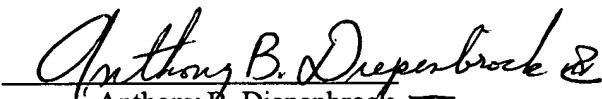
Prior to examination of the above-noted application on its merits, Applicant requests entry of the following amendment pursuant to the provisions of 37 C.F.R. §1.78(4).

A | On page 1, line 5, before “FIELD OF THE INVENTION”, insert —CROSS REFERENCE  
TO RELATED APPLICATIONS

The present application claims priority from U.S. Provisional Application Serial No. 60/230,375, filed September 6, 2000, entitled “System and Method for Automating Listing and Re-Listing of Auction Items”, and U.S. Provisional Patent Application Serial No. 60/219,596, filed July 20, 2000, entitled “System and Method for Automating Listing and Re-Listing of Auction Items”.

If there are any questions or comments, the Examiner is respectfully invited to contact the undersigned by telephone at the number set out below.

Respectfully submitted,

  
Anthony B. Diepenbrock III  
Reg. No. 39,960

Dated: March 9, 2001

**OPPENHEIMER WOLFF & DONNELLY LLP**  
1400 Page Mill Road  
Palo Alto, CA 94304  
Tel: 650/320-4000  
Fax: 650/320-4100

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

CERTIFICATE OF MAILING BY “EXPRESS MAIL” - Rule 10: I hereby certify that this correspondence is being deposited on March 9, 2001 with the U.S. Postal Service “Express Mail Post Office to Addressee” under 37 CFR 1.10 as Express Mail No. EL745056304US addressed to: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231

Date: March 9, 2001

  
Cheryl Ann Rogers

RECEIVED  
MAR 14 2001  
TC 2100 MAILROOM